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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 FACEBOOK, INC.,

15 Plaintiffs,

16 v.

17 POWER VENTURES, INC. a Cayman Island
Corporation,; STEVE VACHANI, an
18 individual; DOE 1, d/b/a POWER.COM,
19 DOES 2-25, inclusive,

20 Defendants.
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Case No. 5:08-cv-05780 JW

**[PROPOSED] ORDER GRANTING
FACEBOOK, INC.'S OBJECTIONS
TO EVIDENCE SUBMITTED IN
SUPPORT OF DEFENDANTS'
OPPOSITION TO FACEBOOK'S
MOTIONS FOR PARTIAL
SUMMARY JUDGMENT ON COUNT
1 (CAN-SPAM ACT, 15 U.S.C. § 7704)
AND UNDER CALIFORNIA PENAL
CODE § 502 AND THE COMPUTER
FRAUD AND ABUSE ACT, 18 U.S.C. §
1030**

Dept: Courtroom 9, 19th Floor
Judge: Hon. Chief Judge James Ware

1 The Court, having considered Facebook, Inc.'s Objections to Evidence Submitted in
2 Support of Defendants' Opposition to Facebook's Motions for Partial Summary Judgment on
3 Count 1 (CAN-SPAM Act, 15 U.S.C. § 7704) and under California Penal Code § 502 and the
4 Computer Fraud and Abuse Act, 18 U.S.C. § 1030, and the records and papers on file in this
5 action, hereby orders as follows:

6 Paragraphs 7-14 and 16-23 of the Declaration of Steve Vachani, as well as references to
7 the deposition transcript of Craig Clark, in Support of Defendants' Opposition to Facebook's
8 Motions for Partial Summary Judgment on Count 1 (CAN-SPAM Act, 15 U.S.C. § 7704) and
9 under California Penal Code § 502 and the Computer Fraud and Abuse Act, 18 U.S.C. § 1030,
10 shall be excluded for purposes of summary judgment. Citations and references thereto in
11 Defendants' Oppositions are stricken from the record, and the assertions they allegedly support
12 shall be disregarded.

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14 **IT IS SO ORDERED.**

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17 Dated:

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19 _____
20 Honorable James Ware
21 Chief Judge
22 Northern District of California
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